

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SUZANNE M. MANLEY,

Plaintiff(s),

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant(s).

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Case No. 4:07CV2066 JCH
(TIA)

ORDER

This matter is before the Court on Defendant's Motion to Reverse and Remand and for Entry of Final Judgment, filed October 1, 2008. Pursuant to 28 U.S.C. § 636, the Court referred this matter to United States Magistrate Judge Terry I. Adelman, who issued a Report and Recommendation on November 5, 2008. Magistrate Judge Adelman recommends that the Court grant Defendant's Motion to Reverse and Remand and for Entry of Final Judgment. Magistrate Judge Adelman further recommends that the Court reverse and remand this matter to the Commissioner for further proceedings, pursuant to Sentence Four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will grant Defendant's Motion to Reverse and Remand and for Entry of Final Judgment, and reverse and remand this matter to the Commissioner for further administrative proceedings. Specifically, the Administrative Law Judge will be directed to (1) consider Dr. Lasack's opinion, and formulate Plaintiff's Residual Functional Capacity based on the ALJ's evaluation of this evidence; and (2) obtain, if warranted, vocational expert testimony.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. No. 19) is adopted and incorporated herein.

IT IS FURTHER ORDERED that Defendant's Motion to Reverse and Remand and for Entry of Final Judgment (Doc. No. 18) is **GRANTED**.

IT IS FURTHER ORDERED that, pursuant to Sentence Four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 18th day of November, 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE